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SENATE

REPORT
99-414

AUTHORIZING THE SMITHSONIAN INSTITUTION TO PLAN, DESIGN, AND CONSTRUCT FACILITIES FOR THE NATIONAL AIR AND SPACE MUSEUM

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AUGUST 15 (legislative day, AUGUST 11), 1986.—Ordered to be printed

Mr. MATHIAS, from the Committee on Rules and Administration, submitted the following

REPORT

[To accompany S. 1311]

The Committee on Rules and Administration, to which was referred the bill (S. 1311) to authorize the Smithsonian Institution to plan, design, and construct facilities for the National Air and Space Museum, having considered the same, reports favorably thereon with amendments and recommends that the bill as amended do pass.

PURPOSE OF THE BILL

The purpose of S. 1311, as amended by the Committee on Rules and Administration, is to authorize planning and construction of additional facilities for the National Air and Space Museum at Dulles Airport, and of the Charles McC. Mathias, Jr., Laboratory for Environmental Research at the Smithsonian Institution's Environmental Research Center at Edgewater, Maryland. The bill authorizes $1,000,000 for planning and design for the facility at Dulles, with the construction to be paid entirely from private donations, and $1,000,000 for construction of the facility at Edgewater, Maryland.

BACKGROUND

The National Air and Space Museum Facility at Dulles Airport.—The additional facilities would be located at Dulles International Airport in the Washington, D.C. metropolitan area. The bill, as amended by the Committee, does not directly reserve land at the

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Dulles Airport of otherwise specify the terms of the agreement between the Federal Aviation Administration and the Smithsonian Institution. The additional facilities would be used for the display of very large aircraft and space craft, which because of their size cannot practically be displayed in museum space on the Mall in Washington, D.C., and which, because of their manner of construction, cannot practically be disassembled for transportation to museum space which is not adjacent to an active airport.

Examples of air and space craft that would be appropriately displayed in the Dulles facility include the Concorde, the Boeing 727 and 747, the Saturn V launch vehicle, and the Space Shuttle *Enterprise*. The *Enterprise* has already been transferred to the Smithsonian Institution by the National Aeronautics and Space Administration and is now located at Dulles Airport.

The bill, as amended by the Committee on Rules and Administration, authorizes $1,000,000 for master planning activities, and specifies that no appropriations are authorized for construction. All construction costs are to be raised from private donations. The Smithsonian Institution's use of the land would be secured through a lease between the Smithsonian Institution and the Federal Aviation Administration. In a letter supporting the bill, S. 1311, as amended by the Committee, the Federal Aviation Administration states that the contractual arrangements agreed to between the Smithsonian Institution and the Federal Aviation Administration would, under the terms of the bill currently being considered by Congress to transfer operation of the Dulles Airport to a regional authority, carry over automatically to such authority. (The letter is printed later in this report.)

The Charles McC. Mathias, Jr., Laboratory for Environmental Research.—The Charles McC. Mathias, Jr. Laboratory for Environmental Research would be located at the Smithsonian Institution's Environmental Research Center at Edgewater, Maryland. The Environmental Research Center performs basic scientific research in two interrelated biological disciplines. The first is environmental biology, the study of plants and animals in natural environments and in simulated laboratory conditions to understand the growth, development, and succession of whole environmental systems. Much of this research is long-term, interdisciplinary study of a tidal river, the Rhode River, and its watershed. Scientists concentrate on how land use, air quality, acid rain and weather variations affect the Rhode River estuary and, in turn, the Chesapeake Bay, one of America's most important waterways. The second is regulatory biology, the study of mechanisms that regulate the growth and development of whole organisms down to this cellular and subcellular levels. Research emphasis is on the mechanisms by which growth and development are affected by environmental factors, such as the duration, intensity, and color of sunlight, temperature, humidity, and carbon dioxide levels. This second area of research has been conducted at facilities in Rockville, Maryland, and which are being transferred to the Edgewater Center in the next few months.

The Mathias Laboratory would house the programs being moved from Rockville in a 5,000 square foot laboratory addition which would include three laboratory suites, an instrument area, plant

growth room facilities, and a greenhouse. The programs which would be supported include plant physiology, environmental engineering, and a visiting scientist laboratory. The plant physiology staff would be engaged in a study of the long-term effects on Chesapeake Bay tidal marsh plant communities of increased levels of carbon dioxide in the atmosphere. The environmental engineering staff would investigate forest productivity and the effects of air pollution on forests near the shore of the Chesapeake Bay. The visiting scientist laboratory would provide space for scientists to spend one to three years conducting studies such as watershed hydrology or geochemistry and estuarine tidal mixing.

COMMITTEE ACTION

The Committee held hearings on the Dulles facility on July 24, 1985, and on August 5, 1986. On July 24, 1985. the following persons testified: the Honorable Barry Goldwater, a Senator from Arizona; the Honorable John Glenn, a Senator from Ohio, the Honorable Paul S. Trible, Jr., a Senator from Virginia, the Honorable Robert McCormick Adams, Secretary of the Smithsonian Institution (accompanied by Mr. Dean W. Anderson, Under Secretary, Dr. David Challinor, Assistant Secretary for Science, Mr. Tom L. Peyton, Jr., Director, Office of Facilities Services, and Mr. Walter J. Boyne, Director, National Air and Space Museum); Mr. James A. Wilding, Director, Metropolitan Washington Airports, Federal Aviation Administration; and Mr. Thomas Morr, President, Washington Dulles Task Force, accompanied by Mr. Leo J. Schefer, Chairman, Air and Space Heritage Council. On August 5, 1986, the witnesses were the Honorable Barry Goldwater, a Senator from Arizona, the Honorable Robert McCormick Adams, Secretary, the Smithsonian Institution, and Mr. Leo J. Scheffer, Chairman, Air and Space Heritage Council. All of the witnesses testified in favor of the bill. No testimony or statements opposing the project have been received. The Committee also received a letter dated August 12, 1986, from Mr. James J. Marquez, General Counsel, U.S. Department of Transportation, supporting the Goldwater substitute, with the proviso that a phrase in S. 1311, as introduced, stating that the museum be constructed in a such a manner as will not interfere with the operations of the airport be added.

The Smithsonian Institution requested authorization for a laboratory such as is provided for in the Goldwater substitute, as amended in the 98th Congress in S. 2271. S. 2271 (98th Congress) was a multi-project authorization bill that the Committee on Rules and Administration did not have an opportunity to act on. In the Committee meeting on August 5, 1986, Senator John Warner of Virginia and Senator Wendell Ford of Kentucky moved that the Goldwater substitute be amended to include authorization for construction of the additional laboratory facilities at the Environmental Research Center and that it be named the Charles McC. Mathias, Jr., Laboratory for Environmental Research, in Honor of Senator Mathias' successful efforts over the years on behalf of the Chesapeake Bay. The amendment was unanimously approved.

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COMMITTEE FINDINGS

The Committee on Rules and Administation finds that construction of facilities for the National Air and Space Museum at Dulles Airport for the display of very large aircraft and space craft and of facilities at the Smithsonian Institution's Center for Environmental Research at Edgewater, Maryland, for the study of the environment of the Chesapeake Bay are in the public interest; that $1,000,000 should be appropriated for master planning of the Air and Space Museum facility at Dulles Airport; that construction of the Air and Space Museum facility at Dulles Airport should be funded from private donations; and that $1,000,000 should be appropriated for construction of the additional laboratory facilities at the Chesapeake Bay Center.

COMMITTEE AMENDMENT

The Committee on Rules and Administration amended the bill, S. 1311, with an amendment in the nature of a substitute. The substitute: (1) reduces the amount authorized for appropriation for master planning of the Air and Space Museum facility at Dulles Airport from $2.4 million to $1 million; (2) deletes the authorization of $42.6 million for construction of the Dulles facility and specifies that no funds are authorized for appropriation for such construction; and (3) authorizes $1 million for the construction of laboratory facilities at the Environmental Research Center at Edgewater, Maryland, on the Chesapeake Bay.

COST ESTIMATE

The bill, S. 1311, as amended, authorizes the appropriation of $1,000,000 in fiscal years 1987 and 1988 for the Air and Space Museum facility at Dulles Airport, and $1,000,000 in fiscal year 1987 for the laboratory facilities at Environmental Research Center of the Chesapeake Bay. A cost estimate from the Congressional Budget Office, which will indicate the outlays from such appropriations, will be published in the Congressional Record when it is received.

REGULATORY IMPACT

In accordance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee on Rules and Administration does not consider that enactment of S. 1311 would have any regulatory impact.

CHANGES IN EXISTING LAW

Enactment of S. 1311 would make no changes in existing law.

COMMUNICATIONS RECEIVED

A letter from Mr. Jim J. Marquez, General Counsel, U.S. Department of Transportation, follows:

U.S. DEPARTMENT OF TRANSPORTATION,
Washington, DC, August 12, 1986.

Hon. CHARLES McC. MATHIAS, Jr.,
Chairman, Committee on Rules and Administration,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Department of Transportation would like to advise you of its views on an amendment in the nature of a substitute intended to be proposed by Senator Goldwater to the bill S. 1311: To authorize the Smithsonian Institution to plan, design, and construct facilities for the National Air and Space Museum.

The substitute would authorize the Smithsonian Institution to develop a master plan for expansion of the National Air and Space Museum at Washington's Dulles International Airport, a facility of the Department's Federal Aviation Administration. The authority to plan, design, and construct facilities would be granted, but federal funds would only be authorized by this bill for purposes of master planning activities.

The Director of the Metropolitan Washington Airports, Mr. Jim Wilding, testified on S. 1311 in July 1985, addressing the compatibility of the museum concept with the ongoing and future operations of Dulles. As stated then, we are confident that a museum of the size projected, and the public that would visit it, can be accommodated at Dulles on a site that will not interfere with airport traffic, parking, or other operations.

In this regard, we note that an important qualification contained in the original bill text was inadvertently not carried over into the substitute: Expansion of the Air and Space Museum at Dulles should be "in a manner that will not interfere with the operations of such airport". The phrase could be added at the end of the substitute's subsection 2(a). Our first obligation is for the safe operation of the airport, of couse, and we think that it is necessary and appropriate that any bill recognize that a museum must not interfere with the operations of Dulles, including the airport's efficient ground access and parking.

To the extent that the airport incurs costs on behalf of a museum for providing utilities, such as electricity, and services, such as police and fire protection, FAA would expect that the airport would be reimbursed for such costs. As you know, a bill is currently being considered by Congress to lease the airport facilities to a regional authority for operation and development, and it is clear in the text of the bill that any contractual arrangements with the museum, such as these, would carry over automatically to the successor authority.

The Office of Management and Budget advises that, from the standpoint of the Administration's program, there is no objection to the submission of this report for the consideration of the Committee.

Sincerely,

JIM J. MARQUEZ.

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